IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 6th day of September 2005
Bail application no. 834 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Devendra @ Bablu
S/o Mange Ram
R/o Village Dadlli
Police Station Bhagwanpur
District Haridwar …Applicant

Versus

State of Uttaranchal … Opposite Party

Arising out of Case Crime No. 45 of 2004
Under Sections 147, 148, 149, 302 I.P.C. and
Under Section 3(2)(5) S.C. & S.T. Act
Police Station G.R.P. Laksar
District Haridwar

By the court

Hon'ble B.C. Kandpal, J

The applicant has applied for bail in case crime No. 45 of 2004 Under Sections 147, 148, 149, 302 I.P.C. and 3(2)(5) S.C. & S.T. Act, Police Station G.R.P. Laksar, District Haridwar.

Heard Rajendra Singh, learned counsel for the applicant, learned A.G.A. and perused the record.

The case rests on circumstantial evidence as the applicant not named in the First Information Report. The record reveals that the only evidence available against the applicant is that of extra judicial confession made by him before the police as well as recovery of *Danda* used in the commission of crime and that too after three months of the occurrence.

Having considered, the aforesaid circumstances, it would be just and proper to release the applicant on bail at this stage.

Let the applicant Devendra & Bablu be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

06.09.2005
ASWAL